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INDUSTRIAL  
CONTAINER  
SERVICES

**Industrial Container Services – WA, LLC**

7152 1<sup>st</sup> Avenue South  
Seattle, Washington 98108  
Tel: (206) 763-2345  
Fax: (206) 763-2699

**RECEIVED**

MAY 03 2010

**Environmental  
Cleanup Office**

Attn: ECL-111  
Ms. Claire Hong  
Remedial Project Manager  
Environmental Cleanup Office  
USEPA Region 10  
1200 Sixth Avenue  
Seattle, Washington 98101

**Subject:** Notice of Potential Liability Pursuant to Section 107(a) and Request for Information Pursuant to Section 104(e) of CERCLA, for the Lower Duwamish Waterway Superfund Site; Seattle, Washington

Dear Ms. Hong:

Please find attached the response requested in the subject notice letter dated October 10, 2006 from Daniel Opalski.

Sincerely,

Rick Cabuco

cc:

USEPA SF



1362684

**1. Respondent Information**

- a. **Provide the full legal name and mailing address of the Respondent.**  
Industrial Container Services – WA, LLC  
7152 1<sup>st</sup> Avenue South;  
Seattle, Washington 98108
- b. **For each person answering these questions on behalf of Respondent, provide:**
- i. full name: Anthony Rick Cabuco
  - ii. title: Facility General Manager
  - iii. business address: 7152 1<sup>st</sup> Avenue South; Seattle, WA 98108
  - iv. business telephone and fax: phone (206) 763-2345; fax (206) 763-2699
- c. **in addition to your response to 1 g. list specific materials, products, and wastes generated. Specifically list the types of paint used in the processing of drums and commercial products. Also, if available, please provide monthly and/or annual volumes of materials, wastes, products, paints, solvents and thinners used or generated during business activities. Include any documentation or analysis describing the wastes generated and cited in your initial response and the composition of those wastes..**  
See Attachment 1

**2. Site Activities and Interests**

- a. **Provide a detailed description of the Site when Respondent's operations began. Please include any assessments of the property before or after assuming operations in 2002. Also include all information on any improvements or constructions as required by the First Information Request.**  
Industrial Container Services – WA, LLC (ICS-WA) began operation at the site in February 2002. Since then, ICS-WA has maintained the paved surfaces and berms throughout the property through routine repair and surface sealing. In 2006, a regenerative thermal oxidizer (RTO) was installed to improve control of air emissions associated with steel drum surface coating operations. This project was initiated by ICS – WA voluntarily, and permitted by the Puget Sound Clean Air Agency.
- b. **Provide all information regarding the settling lagoon formerly present at the Site identified in the Summary of Existing Information and Data Gaps for Early Action Area 2, prepared for the Washington Department of Ecology dated February 2007. Specifically provide any documentation indicating when or if the lagoon sediments were removed prior to the filling, and any additional sampling information from the lagoon, sediments, and/or underlying soil and groundwater.**  
ICS-WA has no information regarding the referenced lagoon.

- c. **Provide a detailed narrative description of all operations at the site, and any available information on former operations. A process flow diagram was provided in your response describing an aspect of operations but did not fully describe all operations.**  
See process description in Attachment 2.
- d. **Provide any and all documentation and information on the sale, transfer, delivery, and disposal of any hazardous substances to or from the site. This should include but not be limited to hazardous waste manifests, trucking receipts, and accounting transactions naming entities involved in the transactions.**  
See Attachment 1.
- e. **Provide any and all sampling reports, sampling data, and records of sampling required under the current, and if possible previous, Water Discharge Permit. Additionally, include documentation of any other sampling carried out through government, or contractor inspections, or independently by Respondent.**  
See Attachment 3.
- f. **Provide all documents not previously provided in response to the initial Request for Information, or in response to this Supplemental Information Request, regarding environmental conditions of the Site. Environmental conditions of the Site includes information related to soil, sediment, water (ground and surface), and air quality, such as, but not limited to:**
- i. **Any spill, leak, release, or discharge of a hazardous substance, waste, or material at or near the Site;**
  - ii. **Occurrences of violations, citations, deficiencies, and/or accidents concerning the Site;**
  - iii. **Remediation or removal of contaminated soils, sediments, or other media at the Site; and**
  - iv. **Investigations, inspections, sampling, and reports generated by Respondent and/or others regarding the Site and surrounding area.**

No spills, leaks, releases or discharges have occurred. No violations, citations, deficiencies or accidents concerning the Site have occurred. No remediation or investigation been conducted, other than those activities conducted by the Washington Department of Ecology.

**3. Information About Others**

- a. **Provide a copy of the asset purchase agreement with IFCO ICS – Washington, Inc. referenced in your initial response and further explain any relationship between Respondent and IFCO.**  
IFCO ICS – Washington, Inc. operated the facility prior to Industrial Container Services – WA, LLC. The referenced asset purchase agreement is not available.
- b. **Explain how and when Industrial Container Services – WA, LLC became successor in interest to CDRCo., NE, LLC (as written in the addendum to the Lease Agreement) and/or CDRCo.,NW, LLC (as written in the original Lease Agreement). In your initial response, you enclosed a copy of the addendum to Lease Agreement, dated March 1, 2006, between Herman and Jacqueline Trotsky and Industrial Container Services – WA, LLC (successor in interest to CDR Co., NE, LLC). CDRCo.,NW, LLC operated the facility prior to IFCO ICS – Washington, Inc.**

**4. Financial Information**

- a. **Provide true and complete copies of all federal income tax documents, including all supporting schedules, for 2004, 2005, 2006, 2007 and 2008. If documentation is not available, explain why in detail. If another entity pays federal taxes for Respondent, provide the name and contact information of that entity or have the entity provide the required returns on behalf of Respondent.**  
These documents are not available. No tax returns are filed for ICS – WA.
- b. **Provide corporate financial information regarding Industrial Container Services, LLC, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth. If Respondent does not have this information, provide the name and contact information of the entity that holds this information, or have the entity provide this information on your behalf. Respondent does not have this information.**
- c. **Provide the corporate histories of Industrial Container Services, LLC and Industrial Container Services – WA, LLC. Include the name and brief description of all business entities that were, became a part of, or were incorporated into both entities by operation of law, succession, merger, or asset purchase.**  
Industrial Container Services – WA, LLC is a limited liability corporation; 100% of membership interest is owned by Industrial Container Services, LLC. Industrial Container Services – WA, LLC was formed just prior to acquiring the assets of IFCO ICS – WA, Inc. and beginning operation of the facility in February 2002. Industrial Container Services, LLC was formed on or about the same date as Industrial Container Services – WA, LLC.

**6. Compliance with This Request**

**Describe all sources reviewed or consulted in responding to this request, including, but not limited to:**

- a. the name and current job title of all individuals consulted;**  
None
- b. the location where all documents reviewed are currently kept**  
7152 1<sup>st</sup> Avenue South; Seattle, Washington 90640